REMARKS

Claims 1-15 are pending. Claims 1 and 3-7 have been amended. Applicants reserve the right to pursue the original and other claims in this and any other application.

Claims 1, 2, 4/1-3, and 5-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Turk et al. (U.S. Patent No. 5,164,992) ("Turk") in view of Yamamoto et al. (U.S Pub. No. 2004/0145657) ("Yamamoto") in further view of Prokoski (U.S. Patent No. 6,496,594) ("Prokoski"). The rejection is respectfully traversed.

Claim 1 recites a face identification device comprising "determination means for determining whether a face image detected by the detection means matches with the face image stored previously or subsequently in the storage means by comparing both face images [and] abstraction process means for applying an abstraction process to a face image of the original image out of the face images detected by the detection means in order to make the face image of the original image unrecognizable."

As the Office Action correctly concludes, "Turk does not disclose performing determination means for the second time, abstraction means and abstraction means to restore the original human body images." (Page 2) Applicants respectfully note that claim 1 does not recite "performing determination means for the second time" but rather the limitations shown in the listing of claims and quoted in part below. In any event, Applicants and the Office Action agree that Turk does not anticipate the claimed invention. Thus, the Office Action relies of Turk in combination with Yamamoto and Prokoski to meet all of the limitations of claim 1. More specifically, the Office Action relies on Yamamoto to make out the "abstraction" limitations and on Prokoski to make out the supposed "second time" limitation. Applicants remarks with respect to Yamamoto are already of record. With respect to Prokoski, Applicants respectfully suggest that the reference fails to teach or suggest the limitations of claim 1, as properly read.

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Prokoski discloses a multi-step process for comparing a captured image with images in a database. In a first step, the captured image and the database images are compared to determine whether there are one or more potential matches. (17:9-11) If at least one potential match is found, then the "rotation, tip and tilt" of the captured image is determined and the potential match images from the database are positioned similarly. (17:13-17) Distances between "coincident minutiae (those which occur in both image modes)" are calculated and used to verify the potential match. (17:19-32)

Applicants agree with the Office Action in that Prokoski performs a second comparison between the captured image and a potential match image to improve match accuracy. (Page 6) However, this does anticipate or render obvious Applicants' claimed invention.

According to claim 1, "when a new face image is stored in the storage means subsequently, the abstraction means restores to the original image abstracted by the abstraction process means in the storage means, the detection means detects face images from the restored original image, and the determination means determines whether a face image in the restored original image detected by the detection means matches with the new face image stored subsequently in the storage means by comparing both face images."

Applicants' claimed invention does not perform two comparisons between a captured image and a database image to improve match accuracy, as Prokoski teaches. Rather, Applicants' claimed invention performs a first comparison between a "face image detected by the detection means" and a "face image stored previously or subsequently in the storage means," and a second comparison between a "new face image" and a "face image in the restored original image." In others words, Prokoski compares the same face images twice, while Applicants' claimed invention compares different face images.

Applicants' claimed invention offers the dual advantages of protecting individuals' privacy through the abstraction process means while also allowing new face images to be compared to abstracted images previously stored in the storage means. Neither this combination of advantages nor the means for achieving it is taught or suggested by any of the cited references, whether taken alone or in combination. Therefore, the rejection of claim 1 should be withdrawn and the claim allowed.

Claims 2 and 4/1-3 depend from claim 1 and are allowable along with claim 1 for at least the reasons stated above with respect to claim 1 and on their own merits. Therefore, the rejection of claim 2 and 4/1-3 should be withdrawn and the claims allowed.

Claims 5-7 and 12-15 recite limitations similar to those of claim 1 quoted above and are allowable for at least the reasons stated above with respect to claim 1 and on their own merits. Therefore, the rejection of claim 5-7 and 12-15 should be withdrawn and the claim allowed.

Claim 8-11 depend from claim 7 and are allowable along with claim 7 for at least the reasons stated above with respect to claim 7 and on their own merits. Therefore, the rejection of claims 8-11 should be withdrawn and the claims allowed.

Claims 3/1 and 3/2 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Turk in view of Yamamoto in further view of Prokoski in yet further view of Lu et al. (U.S. Patent No. 5,771,307) ("Lu"). The rejection is respectfully traversed.

As the Office Action correctly notes, Turk "fails to disclose a detected face image is not applied with the abstraction process and is applied with a marker." (Office Action, Paragraph 3) However, as described above with respect to claim 1, from which claims 3/1 and 3/2 depend, Turk also fails to teach or suggest other limitations of claim 1. Yamamoto, Prokoski, and Lu do not cure the failings of Turk. Therefore, the rejection of claims 3/1 and 3/2 should be withdrawn and the claims allowed.

In view of the above, Applicants believe the Application is in condition for allowance and respectfully request that it be passed to issue.

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Respectfully submitted,

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